



November 2019



FACERS Fall Meeting- FDOT Updates

- 1. 3D Design and Open Roads Designer**
- 2. Development of NexGen Plans**
- 3. FDOT Transportation Symposium**
- 4. Project Design Documentation**
- 5. Roadway Lighting Maintenance Agreement Update**
- 6. Proprietary Products Rule Changes**
- 7. Miscellaneous FHWA updates**
- 8. Florida Statute changes**
- 9. Grant Program Application Cycles**
- 10. GAP! FDOT's new grant management tool**
- 11. LAP Training**
- 12. LAP Continuing Contracts**



3D Design and ORD



FDOT Plans Production is 95% Bentley MicroStation and 5% AutoCAD

- **Bentley stopped supporting MicroStation Version SS4 as of July 2019**
- **Bentley's replacement for SS4 is a model-centric software titled Open Roads Designer (ORD)**
- **FDOT will require ORD for projects starting in Jan 2021. Many Districts have already adopted the new ORD.**

Delivering Data to Contractor

December 2018:

“All projects modeled in 3D will deliver a separate 3D PDF file. Project file PDFs will have the file name ‘FPID-3DModel.PDF’.”



With implementation of ORD, must create corridor models to generate cross section views and produce earthwork quantities.

Plans Production requirements for projects that lead with Signed and Sealed Model

Transformation to NexGen Plan Sets

Chapter	Description	Chapter	Description
	Traditional Plans Production		Model-based Plans Production
300	Production of Plans	400	Production of NexGen Plans
301	Sequence of Plans Preparation	401	Model Management Report
302	Key Sheet	402	KMZ Project File
303	Signature Sheet	403	Key Sheet and Signature Sheet
304	Summary of Pay Items	404	Summary of Pay Items Report
305	Drainage Map and Bridge Hydraulic Recommendation Sheet	405	Bridge Hydraulic Recommendation Sheet
306	Typical Sections	406	Typical Sections
307	Summary of Quantities	407	Summary of Quantities



FDOT 2020 Transportation Symposium



There will be 2 symposiums in 2020!

- **June 9th and 10th in Ft. Lauderdale, and**
- **December 15th and 16th in Orlando.**

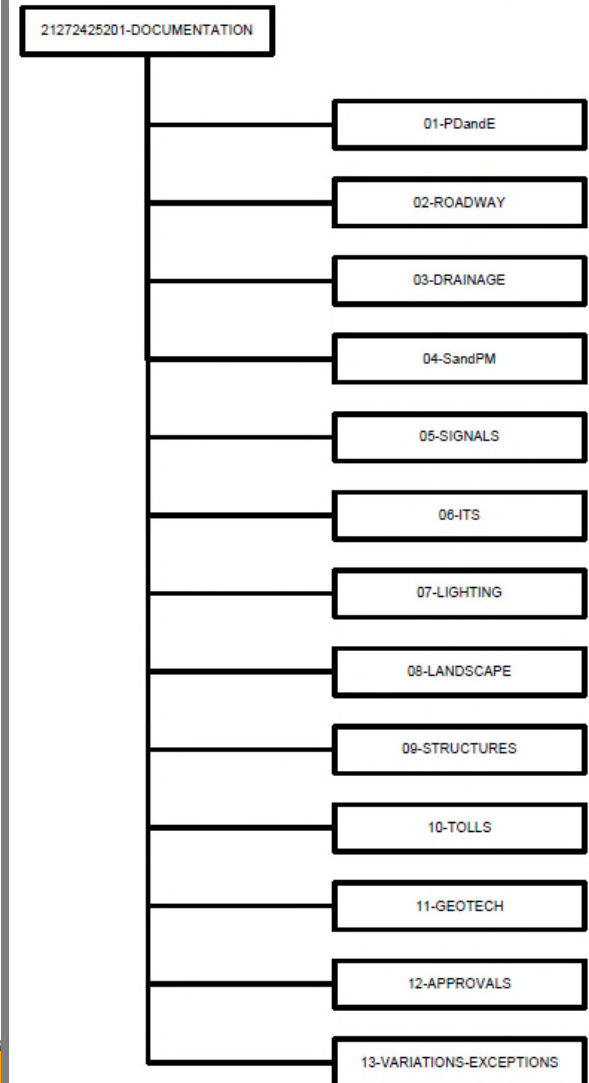
Both events will be a day and a half; not three like the previous symposium.

Both events have the same five tracks; not eight like the previous symposium.

**PSEE Project Documentation
Module to serve as depository
for engineering documents
used to develop the Plan Set.**

**Required with July 2020
lettings.**

Figure 111.7.1 Folder Structure





Roadway Lighting and Maintenance Agreement



The State Highway Lighting, Maintenance, and Compensation Agreement form # 375-020-52 has been approved and is posted on the Forms and Procedures web site. The Districts have all been notified by Office of Maintenance. It would be up to the Districts and Local Governments when to execute the new agreement. Compensation can be found under section 2 of the agreement form also Compensation information and rates under section 3 of Exhibit A.



Roadway Lighting and Maintenance Agreement



Rates paid at 90% which correlates to section 1.b. of the agreement stating that 90% of the lights must be operational at any given time.

3.0 COMPENSATION

For the satisfactory completion of all services detailed in this Agreement, **FDOT** will pay the **MAINTAINING AGENCY** the Total Sum as provided in Section 2 of the Agreement. The **MAINTAINING AGENCY** will receive one single payment at the end of each fiscal year for satisfactory completion of service.

The per-light unit rate shall increase by 3% each fiscal year. E.g., the per-light unit rate of \$291.36 in fiscal year 2019-2020 shall increase to \$300.10 in fiscal year 2020-2021.

Total Payment Amount for each fiscal year is calculated by inputting the actual number of qualifying types of lights into the table below and multiplying by the unit rate and 90%. Example: 330 (lights) x \$291.36 (unit rate) x 0.90 (90% requirement) = \$86,533.92

Type of Light	# of lights	LED or HPS	Unit rate	90%	Total
High Mast		HPS		0.90	
Standard		HPS		0.90	
Underdeck		HPS		0.90	
Sign		HPS		0.90	
High Mast		LED		0.90	
Standard		LED		0.90	
Underdeck		LED		0.90	
Sign		LED		0.90	



Roadway Lighting and Maintenance Agreement



Rates paid at 90% which correlates to section 1.b. of the agreement stating that 90% of the lights must be operational at any given time.

- b. In maintaining the Facilities, the **MAINTAINING AGENCY** shall perform all activities necessary to keep the Facilities fully operating, properly functioning, with a minimum of 90% of the lights burning for any lighting type (e.g., high mast, standard, underdeck, and sign) or roadway system at all times in accordance with the original design thereof, whether necessitated by normal wear and tear, accidental or intentional damage, or acts of nature. Required maintenance includes, but is not limited to, providing electrical power and paying all charges associated therewith, routine inspection and testing, preventative maintenance, emergency maintenance, replacement of any component parts of the Facilities (including the poles and any and all other component parts installed as part of the Facilities), and locating (both vertically and horizontally) the Facilities. All repairs or replacement will be in kind unless a variance is approved in writing by **FDOT**.



Proprietary/Sole Source Products



FHWA repealed their proprietary product rule effective October 28, 2019.

FDOT issued [Program Management Bulletin 19-05](#) on the same date.

Department grant funded projects will follow the bulletin, including those delivered via grant program by local partners.



Proprietary/Sole Source Products



Draft update to the LAP Construction Checklist:

28. Patented/ Proprietary/Sole Sourced Materials	FDOT Design Manual 110.4.1 337.02 F.S.	Patented, proprietary or sole sourced products or processes may be used when approved in accordance with the FDOT Design Manual (FDM) 110.4.1.	Review bid document for inclusion or exclusion of proprietary products/sole sourced materials as applicable.
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Corresponding edits and process info will be implemented in the LAP Manual in the next month or so for federal funded projects. State funded projects will follow the bulletin.



Proprietary/Sole Source Products



What Am I Required to Do?

- Identify the need for the product or process as early as possible in the design.
- Submit a technically supported justification for the sole sourcing of the proprietary product or process prior to the Phase III design submittal. Address necessity and needs as related to the project.
- The District Design Engineer and FDOT will reject or concur and log the request in its internal tracker.



Proprietary/Sole Source Products



Why Am I Required to Do This?

- FDOT is required to evaluate and approve traffic control devices and other devices per Florida laws and rules.
- Tracking of new or experimental products and processes helps identify those that will benefit everyone.
- Tracking new or experimental products and processes helps identify those that do not meet Florida standards for safety!



Proprietary/Sole Source Products



The prohibition on in-State preference for materials selection (23 CFR 635.409), still applies!

§ 635.409 Restrictions upon materials.

No requirement shall be imposed and no procedure shall be enforced by any State transportation department in connection with a project which may operate:

(a) To require the use of or provide a price differential in favor of articles or materials produced within the State, or otherwise to prohibit, restrict or discriminate against the use of articles or materials shipped from or prepared, made or produced in any State, territory or possession of the United States; or

(b) To prohibit, restrict or otherwise discriminate against the use of articles or materials of foreign origin to any greater extent than is permissible under policies of the Department of Transportation as evidenced by requirements and procedures prescribed by the FHWA Administrator to carry out such policies.



Proprietary/Sole Source Products



Other instances where you still need a Public Interest Finding:

- 23 CFR 635.106: Use of publicly owned equipment
 - The Specifications must provide the successful bidder the options to either rent the equipment from the agency, or from another source. Project is awarded to the lowest overall bid.
- 23 CFR 635 Subpart B: Force Account work
- 23 CFR 635.407: Use of materials made available by a public agency.

FHWA 2019 Buy America Review

- Compliance with 23 CFR 635.410
- Difficulty tracking and cross-referencing certifications including pre-cast items.

MATERIAL CERTIFICATION
MANUFACTURED PRECAST CONCRETE DRAINAGE PRODUCTS
SPECIFICATION NUMBER (449)

FLORIDA D.O.T.
PLANT NUMBER [REDACTED]

CONTRACTOR: [REDACTED]
FDOT Financial Identification Number (FIN): [REDACTED]
FDOT Contract Number [REDACTED]
Project Location: [REDACTED]

Description of Products: *Precast Storm Structures.*

We certify the described precast concrete products will be manufactured by our plant in accordance with the requirements set forth in the Florida Department of Transportation Contract Documents and the plants approved quality control plan. We certify that all steel or iron furnished or incorporated into the finished product will be manufactured in

We certify that all

steel or iron furnished or incorporated into the finished product will be manufactured in the United States in accordance with the requirements of the specifications and the Buy America provision of 23 cfr 635.410 as amended. We further certify that the product will be produced entirely within the United States.

provide the description and list of the products.

Manufacturer Officer or Designee:

Note that certification provided does not state that Buy America has already been met.

FHWA Convict Labor and Convict Produced Materials

- **23 CFR 635.117(a)** prohibits the use of convict labor.
- Work release programs in which the individuals are still incarcerated do not satisfy the exception clause.
- **23 CFR 635.417** prohibits the use of convict produced materials on Federal-aid projects.
- Received request to use PRIDE Industries produced wooden fencing via change order. Request denied.
- District discovered PRIDE/Baker paint certifications on a federal-aid project, and notified the Division.
- Federal-aid ineligibility.

FHWA Emergency Relief Updates

- Projects moving forward
 - Requirement to have projects authorized before the end of the second FY following the year of the storm.
- ER Data Portal Coming soon!
 - Agencies will be able to fill out DDIRs via the portal. Not mandatory at this time.
 - Trying to simplify log in process via UPACS.
- Detours must be documented.



Florida Statute Changes Effective July 1, 2019



Chapter 337.14(7) F.S. amended to include:

(7) A “contractor” as defined in s. 337.165(1)(d) or his or her “affiliate” as defined in s. 337.165(1)(a) qualified with the department under this section may not also qualify under s. 287.055 or s. 337.105 to provide testing services, construction, engineering, and inspection services to the department. This limitation does not apply to any design-build prequalification under s. 337.11(7) and does not apply when the department otherwise determines by written order entered at least 30 days before advertisement that the limitation is not in the best interests of the public with respect to a particular contract for testing services, construction, engineering, and inspection services. This subsection does not authorize a contractor to provide testing services, or provide construction, engineering, and inspection services, to the department in connection with a construction contract under which the contractor is performing any work. **Notwithstanding any other provision of law to the contrary, for a project that is wholly or partially funded by the department and administered by a local governmental entity, except for a seaport listed in s. 311.09, the entity performing design and construction engineering and inspection services may not be the same entity.**



Florida Statute Changes Effective July 1, 2019



The 2019 Florida Statutes

[Title XXVI](#)

[Chapter 334](#)

[View Entire Chapter](#)

PUBLIC TRANSPORTATION TRANSPORTATION ADMINISTRATION

334.175 Certification of project design plans and surveys.—

(1) All design plans and surveys prepared by or for the department shall be signed, sealed, and certified by the professional engineer or surveyor or architect or landscape architect in responsible charge of the project work. Such professional engineer, surveyor, architect, or landscape architect must be duly registered in this state.

(2) For portions of transportation projects on, under, or over a department-owned right-of-way, and regardless of funding source, the department shall review the project's design plans for compliance with departmental design standards.

History.—s. 20, ch. 84-309; s. 77, ch. 2002-20; s. 8, ch. 2019-169.



Florida Statute Changes Effective July 1, 2019



The 2019 Florida Statutes

[Title XXVI](#)

[Chapter 338](#)

[View Entire Chapter](#)

PUBLIC TRANSPORTATION LIMITED ACCESS AND TOLL FACILITIES

338.2278 Multi-use Corridors of Regional Economic Significance Program.—

(8) The amounts identified in subsection (7) by fiscal year shall be allocated as follows:

(a) For the 2019-2020 fiscal year, to the:

1. Multi-use Corridors of Regional Economic Significance Program, \$12.5 million, to be used as specified in this section;
2. Small County Road Assistance Program, \$10 million, to be used as specified in s. [339.2816](#), with preference to projects in counties impacted by hurricanes;
3. Small County Outreach Program, \$10 million, to be used as specified in s. [339.2818](#), with preference to projects in counties impacted by hurricanes;
4. Transportation Disadvantaged Trust Fund, \$10 million, to be used as specified in s. [427.0159](#); and
5. Workforce development program, \$2.5 million, to be used as specified in s. [334.044\(35\)](#).



Florida Statute Changes Effective July 1, 2019



The 2019 Florida Statutes

[Title XXVI](#)

[Chapter 338](#)

[View Entire Chapter](#)

PUBLIC TRANSPORTATION LIMITED ACCESS AND TOLL FACILITIES

338.2278 Multi-use Corridors of Regional Economic Significance Program.—

(g) In each fiscal year in which funding provided under this subsection for the Small County Road Assistance Program, the Small County Outreach Program, the Transportation Disadvantaged Trust Fund, or the workforce development program is not committed by the end of each fiscal year, such uncommitted funds shall be used by the department to fund Multi-use Corridors of Regional Economic Significance Program projects. As provided in s. [339.135\(7\)](#), the adopted work program may be amended to transfer funds between appropriations categories or to increase an appropriation category to implement this paragraph.



Florida Statute Changes Effective July 1, 2019



The 2019 Florida Statutes

[Title XXVI](#)

[Chapter 338](#)

[View Entire Chapter](#)

PUBLIC TRANSPORTATION LIMITED ACCESS AND TOLL FACILITIES

338.2278 Multi-use Corridors of Regional Economic Significance Program.—

(9) The department, in its discretion and for hurricane-impacted counties, may waive consideration of local matching funds under s. [339.2816](#), relating to the Small County Road Assistance Program, and may waive the match requirement of s. [339.2818](#), relating to the Small County Outreach Program, with respect to project awards funded by the allocations to those programs provided in this section.

History.—s. 1, ch. 2019-43.



Florida Statute Changes Effective July 1, 2019



Chapter 339.2818 F.S. Small County Outreach Program amended as follows:

- **Population threshold increased to 200,000 adding in Bay, Charlotte, Hernando, Okaloosa, and Santa Rosa Counties**



Florida Statute Changes Effective July 1, 2019



Chapter 339.2818 F.S. Small County Outreach Program amended as follows:

...a county or a municipality that is within a county designated in the FEMA disaster declaration DR-4399 may compete for the additional project funding using the criteria listed in subsection (4) at up to 100 percent of project costs to repair damage due to Hurricane Michael, excluding capacity improvement projects. This subsection expires July 1, 2020.



Florida Statute Changes Effective July 1, 2019



The 2019 Florida Statutes

[Title XXVI](#)

[Chapter 334](#)

[View Entire Chapter](#)

PUBLIC TRANSPORTATION TRANSPORTATION ADMINISTRATION

334.179 Department standards or specifications for permissible use of aggregates.

–Notwithstanding any law, rule, or ordinance to the contrary, a local government may not adopt standards or specifications that are contrary to the department standards or specifications for permissible use of aggregates that have been certified for use. For purposes of this section, the term “certified for use” means that the aggregates have been certified by the producer in accordance with department rules. This section does not apply to a multicounty independent special district created by a special act of the Legislature.

History.—s. 1, ch. 2019-153.



Florida Statute Changes Effective July 1, 2019



The 2019 Florida Statutes

[Title XXVI](#)

PUBLIC TRANSPORTATION

[Chapter 336](#)

COUNTY ROAD SYSTEM

[View Entire Chapter](#)

336.044 Use of recyclable materials in construction.—

(5) Notwithstanding any law, rule, or ordinance to the contrary, a local governmental entity may not adopt standards or specifications that are contrary to the department standards or specifications for permissible use of reclaimed asphalt pavement material in construction. For purposes of this section, such material may not be considered solid waste.

(6) All agencies shall cooperate with the department in carrying out the provisions of this section.

- **Safe Routes to School** call for applications September 1, 2019 – December 31, 2019 at 11:59pm EST.
- **SunTrail** call for applications October 1 - December 20, 2019 at 5:00pm EST.
- **Rural Resurfacing Programs** call for applications December 1, 2019 – March 30, 2020. Includes SCOP Municipalities (FY 2021), regular SCOP, & SCRAP.

Highway Beautification Application deadline was October 1st. Grants awarded on November 30th

- Up to \$105,000 per project on the SHS includes the purchase and installation of landscape plants and irrigation systems.
- First program to use GAP to collect project applications!



GAP!



Introducing *Grant Application Process* or “GAP” System

Florida Department of Transportation
Offices of Design, Planning, Program Management, Safety and Strategic Development

What Grant Programs are included?

County Incentive Grant
Program

Local Transportation
Projects

Small County Outreach
Program for
Municipalities

Florida Beautification
Grants

Metropolitan or
Transportation Planning
Organizations (MPO /
TPO)

Small County Road
Assistance Program

“LAP”
FHWA Federal-Aid
Program*

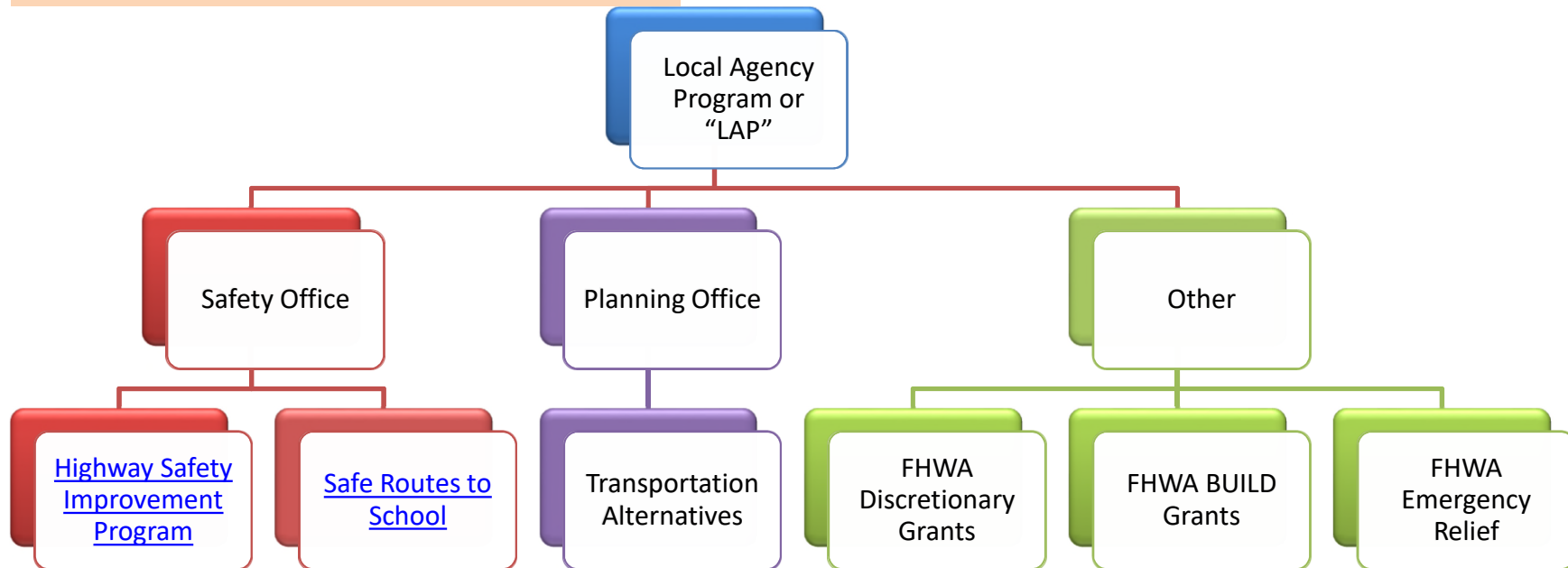
Shared-Use
Nonmotorized (SUN) Trail
Program

Transportation Regional
Incentive Program

Small County Outreach
Program

What Grant Programs are included?

Various Federal-Aid Highway Program Areas



GAP Development & Implementation Timelines- FY 2020

Phase 1 Development Complete January 2019.

System available to receive & store local agency project applications.

Phase 1 Implementation In Process FY 2020.

Staggered implementation of grant programs requiring project applications be submitted via GAP.

Phase 1 Program Application Cycles Utilizing GAP FY 2020:

Sept. 1- Safe Routes to School

Sept. 1- Florida Beautification Grants

Oct. 1- Shared Use Nonmotorized (SUN) Trail

Dec. 1- Small County Outreach and Small County Road Assistance Programs

GAP Development & Implementation Timelines- FY 2021

Phase 1 Implementation Continues in FY 2021.

Phase 1 Implementation Anticipated FY 2021.
Continue staggered implementation of grant programs requiring project applications be submitted via GAP.

Phase 1 Program Application Cycles Utilizing GAP FY 2021:

Cycle Dates TBD- County Incentive Grant Program, Transportation Alternatives, Transportation Regional Incentive Program

GAP Development & Implementation Timelines- FY 2021

Phase 2 Development In Process FY 2019 through FY 2020.

System development is underway for the project management module in GAP.

Phase 2 Anticipated Completion June 30, 2020.

Phase 2 Implementation Anticipated FY 2021.

Effective July 1, 2020: Each grant program's funded projects will utilize GAP for project management, including invoicing and documentation collection and review.



Access GAP here:
<https://www.flgap.com/>



username Create Password
Forgot Username? Forgot Password?

Login to GAP to download
application materials and to
submit your project applications:

<https://www.flgap.com/>



Forgot Username? Forgot Password?

New local agency users obtain login credentials by:

1. Submit a “create new user” request from GAP homepage.
2. Requesting access from their District project manager.
3. Requesting another local agency user add their contact info to GAP which can then be activated by FDOT staff.
4. LAPIT users have already been added to GAP, but the login credentials are NOT the same.

I've submitted my application, now what?

- Applications may be edited by the agency user(s) until the cycle closes.
- Application submittals will lock when the cycle closes and edits will no longer be allowed.
- Submitted applications appear in the designated FDOT staff queue for review. The agency user does not need to call, email or otherwise notify FDOT staff the application has been submitted.

I've submitted my application, now what?

- GAP stores and archives documents.
- Prior application docs are available for view and download by users.
- Application documents may change from year to year. Program managers will determine if new or revised documents must be uploaded for resubmittals of prior applications.

Central Office 2019-2020 training classes:

LAP Professional Services Checklist

- D7 Ft Myers Dec 3 (**FULL**)
- D7 Tampa Dec 5
- D5 Brevard Jan 14
- D5 Orlando Tpk Feb 19
- D1 Bartow Dec 4
- D5 Deland Jan 13 (**FULL**)
- D3 Chipley Feb 4
- D2 Lake City March 3

LAP Title VI & ADA

- D1 & D7 Manatee March 5 (**FULL**)
- D6 Miami June 16
- D3 Chipley May 12
- D6 Miami June 17

District Three Transportation Symposium

- January 9, 2020 in Chipley, FL

- District 1 anticipated in FY 2021.
- District 2 new contracts executed July 2019
 - Design contracts with Element Eng & STV, Inc.
 - CEI contracts with Consor and DRMP.
- District 5 executed August/September 2019.
 - Design contract with Protean
 - CEI contract with DRMP
- Districts 3 & 4 continue to offer contract compliance services under LAP continuing contracts

What Did I Miss?

